

**STATE OF CALIFORNIA  
DEPARTMENT OF CONSUMER AFFAIRS  
BOARD OF REGISTERED NURSING MINUTES**

**DATE:** November 17-18, 2010

**LOCATION:** Department of General Services  
Elihu Harris State Building  
1515 Clay Street,  
Oakland, CA 94612

**PRESENT:** Jeannine Graves, RN, President  
Judy L. Corless, BSN, RN  
Erin Niemela (11/18 only)  
Nancy Beecham, RN-BC (11/18 only)  
Dian Harrison, MSW  
Catherine M. Todero, PhD, RN  
Kathrine M. Ware, RN, MSN, ANP-C (9/23 Closed Session only)

**NOT PRESENT:** Richard L. Rice

**ALSO PRESENT:** Louise Bailey, M.Ed., RN, Interim Executive Officer  
Heidi Goodman, Assistant Executive Officer  
Don Chang, DCA Legal Counsel  
Stacie Berumen, Enforcement Division Chief  
Christina Sprigg, Administration Manager  
Carol Stanford, Diversion Program Manager  
Kathy Hodge, Enforcement Program Manager  
Beth Scott, Probation Program Manager  
Bobbie Pierce, Lead, Licensing Program  
Geri Nibbs, NEC  
Janette Wackerly, NEC  
Miyo Minato, NEC  
Kelly McHan, NEC  
Leslie Moody, NEC  
Shelley Ward, NEC  
Badrieh Caraway, NEC  
Kay Weinkam, NEC  
Katie Daugherty, NEC  
Dawn, Kammerer, Recorder  
Julie Campbell-Warnock, Research Program Specialist  
Michel Cohn, Administrative Law Judge  
Aspasia Papavassiliou, Deputy Attorney General  
Diann Sokoloff, Deputy Attorney General  
Shana Bagley, Deputy Attorney General

Timothy McDonough, Deputy Attorney General  
Susanna Gonzalez, Deputy Attorney General  
Alfredo Tarraza, Senior Assistant Attorney General

**Wednesday, November 17, 2010**

**CALL TO ORDER**

J. Graves, Board President, called the meeting to order at 9:07 am and had the Board Members introduce themselves.

**2.0 Public Comment for Items Not on the Agenda**

Genevieve Clavreul, RN provided a comment.

**3.0 Review and Approve Minutes:**

➤ September 23, 2010, Board Meeting

MSC: Corless/Harrison that the Board approves minutes from September 23, 2010. 5/0/0

**4.0 Report on Board Members' Activities**

Jeannine Graves attended the BRN Annual Meeting with Deans and Directors as part of fall 2010 COADN/CACN Deans and Directors Conference.

**5.0 Board and Department Activities**

**5.1 Interim Executive Officer Report**

Louise Bailey presented this report

**Board's Budget Update**

Workforce Cap – In January 2010, due to the weak performance of the California economy, the Governor's office directed departments to take immediate steps beginning March 1, 2010, to cap the statewide workforce 5% lower than presently constituted in order to achieve an additional 5% salary savings in fiscal year 2010/11. The reductions could be achieved through abolishing vacancies, attrition, and layoffs. At that time the Board was targeted to achieve an additional savings of \$357,300 and the savings was accomplished due to vacancies.

On October 26, 2010, the Department of Finance issued a second Budget Letter regarding the additional 5% salary savings cap and due to the additional 37 enforcement positions that were added in FY 2010/11 the Board is now required to save \$417,690. These savings are being accomplished by keeping five (5) enforcement positions vacant and include benefits for the positions and re-classing four (4) special investigator positions including benefits to staff services analyst positions and re-classing seven (7) special investigator positions including benefits to office technician positions. The determination to use the

enforcement positions was difficult; however, the alternative to achieve the required savings would have been to layoff existing staff or not filling critical positions that are currently vacant or will become vacant.

### **Department of Consumer Affairs (DCA) Updates**

Board Member Orientation – In accordance with Business and Professions Code Section 453, Board Members are required to attend DCA's Board Member Orientation within one year of their appointment. The next Board Member Orientation is set for Wednesday, December 1, 2010, at DCA Headquarters in Sacramento from 9:00 am to 4:30 pm. Please notify the Administration Unit if you would like to attend.

Social Media – At a recent Executive Leadership meeting, the Department provided an overview of Facebook, Twitter and YouTube and suggested that all Boards and Bureaus begin to develop the internal mechanism to begin to use this media. These three sites can be viewed on the Department's Web site at [www.dca.ca.gov](http://www.dca.ca.gov). The BRN does not currently have the staff resources to initiate use of this media; however, the Board's Web site is available 24/7 and provides information as well as e-mail access to the various units in the Board.

### **Hiring Freeze**

On August 30, 2010, the Governor's Office directed all state agencies to cease all new hires that included filling vacancies, promotions, hiring temporary help, and board appointments. At that time, the Budget for FY 2010/11 had not been signed; however, in anticipation of having a signed budget that would have allowed hiring to resume, the freeze was implemented. DCA worked with all Boards and Bureaus to implement the ability to fill vacancies with internal lateral transfers from one Board or Bureau to another, providing that both executive officers were in agreement with the transfers. The Board has posted several positions in light of this method; however, no positions using this method have been filled by this Board.

### **Furlough Friday Update**

The last furlough Friday was October 22, 2010, and all state offices have resumed the Monday through Friday work week; however, due to the continuing budget shortfall, staff's salary is reduced by roughly 5% and staff is contributing an additional 3% to retirement. In turn for the 5% pay reduction, staff is earning one personal leave day each month, which is an 8 hour day and this time must be used within a certain timeframe as there is no monetary value. The personal leave program runs from November 2010 through October 2011.

### **National Council of State Boards of Nursing (NCSBN) in Partnership with CBS**

At this year's Delegate Assembly, Kathy Apple, CEO announced they would be initiating a new marketing campaign with CBS that introduces consumers to the work of all the boards of nursing nation wide and the position they fill as the regulatory body that investigates whenever a nurse's behavior violates existing laws or regulations that govern the nurse's practice. The campaign includes: distribution of brochures and flyers; the use of social media; and a toolkit of sample public service announcements and news releases that individual boards can customize for use in their local market.

NCSBN partnership with CBS centers on:

- Promoting NCSBN boards of nursing as the entities charged with protecting the public health and welfare as it relates to nursing practice;
- Presenting the process people should take to gather advice/references regarding nurses; and
- Educating the viewer on how to file a complaint in their state.

NCSBN, along with CBS, produced a 30-second television spot that began a six week run on November 8, 2010, in New York, Los Angeles, Chicago, Philadelphia, Dallas-Fort Worth, Miami-Fort Lauderdale, Atlanta, Boston, Phoenix and Seattle on CBS owned and affiliated stations. The following are the shows that will air this spot:

- "The Early Show;"
- CBS 2 News;
- "Young & Restless;"
- "Dr. Phil;"
- CBS Local Early News;
- "Entertainment Tonight;" and
- CBS Local Late News.

Additionally, the commercial can be viewed on YouTube, MSN Video, Google Video and can be seen on the NCSBN website, <https://www.ncsbn.org/2055.htm>. This Web site provides more detailed information and resources, as well as direct links to individual Member Board websites.

### **Public Record Request**

The Board continues to comply with public record requests and responds within the required timeframes that are set in Government Code Section 6250. For the period of September 3, 2010 through November 9, 2010, the Board has received and processed 45 public record requests.

### **Board Member Correspondence**

For the period of September 9, 2010 through November 5, 2010, the Board received one letter addressed to a Board Member. The letter was related to a licensing matter.

### **Personnel**

The following personnel changes have transpired since the last Board Meeting:

<b>Separations</b>	<b>Classification</b>	<b>Board Program</b>
Alicia Newcomb	Office Technician	Probation

Maria Bedroni began her state career in 1977 at Department of Education as a Nursing Consultant II. In March 1989, she joined the Board of Registered Nursing as a Nursing Education Consultant in the Los Angeles office, and in January 1993, she was promoted to Supervising Nursing Education Consultant. In 1998, she earned her EdD from Pepperdine University. For the many years she has been with the Board, Maria has specialized in the

development and continuation of the nursing programs. Maria will retire on December 29, 2010. Our congratulations to Maria.

Heidi Goodman began her 30 year state career as a seasonal clerk with the Board of Equalization. In 1981, she joined the Department of Consumer Affairs working in various offices such as the Bureau of Collection and Investigative Services, the DCA Budget Office, and the Board of Professional Engineers and Land Surveyors prior to joining the Board of Registered Nursing in 1989 as an Administrative Analyst. In 1994, she received the Governor's Safety Award for creating an ergonomic work environment at the Board. In 1995, Heidi was promoted to the Licensee and Administrative Services Program Manager overseeing such projects as the RN plastic card license, improved telephone systems, office moves, and LAN implementation. Additionally, she received the department's Sustained Superior Performance Award for her diligent initiative and creativity, and for numerous accomplishments including team leader of a state-wide contracts improvement project, her role as health and safety coordinator and her initiative in disaster recovery planning. In 2006, Heidi was promoted to Assistant Executive Officer. On November 27<sup>th</sup>, Heidi will celebrate 21 years of service at the Board and she will retire on December 30, 2010. We congratulate Heidi on her retirement!

## **5.2 DCA Directors Report**

Kimberly Kirchmeyer presented the DCA Directors Report on behalf of Brian Stiger, Director

### Hiring Freeze

- As previously stated, the exception process from the hiring freeze is very stringent and only the most critical requests are being approved. To date, the Department has only had five exemption requests approved (CSLB, BPELS, BPPE, BBS, and CSAC).
- In addition to the freeze on hiring, there is also a freeze on overtime. However, because the exemption request for the CPEI positions has not been approved, the Department is looking to see if an exemption request for overtime for the current staff would assist the Boards in their enforcement processes.

### Consumer Protection Enforcement Initiative

- The Department continues to encourage this Board to move forward with regulations to allow the executive officers the ability to expedite the Board's investigation and prosecution processes, as identified in the drafting of Senate Bill 1111. The Department hopes you will move forward with the regulatory process for these proposals as several will assist the Board.
- We have completed gathering data for the Performance Measurements. These measures address cycle time, volume of complaints, cost, customer service, and probation monitoring. These will be posted on the DCA's Web sites by the end of November. These performance measurements provide for transparency to the public.

### BREEZE

- The BreEZe project is moving forward and is on target for completion. Debbie Balaam is willing to provide a presentation on this project for your Board. We are finalizing the working sessions with the two prequalified vendors and the subject matter experts

at the Boards. We intend to release the final Request for Proposal with the finalized requirements by December and have a contract with a vendor in place by July 2011.

- In addition to the Forms Revision Workgroup and Data Conversion Workgroup I mentioned at the last meeting, we have also identified a need for a Reports Workgroup.

#### SB1441

- The Department continues to request that the Board move forward with the implementation of the SB 1441 Uniform Standards. Moving forward with regulations or policy changes as necessary.

#### **PM1: Volume**

- Number of complaints received

#### **PM2: Intake Cycle Time**

- Average number of days to complete complaint intake

#### **PM3: Cycle Time of Closed Cases Not Resulting in Formal Discipline**

- Average number of days to complete the intake and investigation steps of the enforcement process, for closed cases not resulting in formal discipline

#### **PM4: Cycle time of Closed Cases Resulting in Formal Discipline**

- Average number of days to complete the enforcement process (intake, investigation, and formal discipline steps) for those cases closed at the discipline stage

#### **PM5: Intake & Investigation Efficiency**

- Average cost of Intake and Investigation of complaints

#### **PM6: Customer Satisfaction**

- Consumer satisfaction with the service received during the enforcement process

#### **PM7: Violation Cycle Time (Probation Monitoring)**

- Average number of days from the date a probation monitor is assigned to a probationer to the date the monitor makes first contact

#### **PM8: Initial Contact Cycle Time (Probation Monitoring)**

- Average number of days from the time a violation is reported to a program, to the time the assigned probation monitor responds.

#### License Renewal Survey

- As previously stated, the recent enactment of the Patient Protection and Affordable Care Act by the Federal Government will impact all healing arts boards. In discussions with other agencies regarding the healthcare reform act, it has been brought to the Department's attention that there is a need to have more information on the healthcare workforce in the State of California. As you may remember, the Office of Statewide Health Planning and Development (OSHPD) was directed to establish the California Healthcare Workforce Clearinghouse. The Clearinghouse was to serve as the central source for collection, analysis, and distribution of information on the healthcare workforce employment and educational trends for the State. The information that is

gathered by OSHPD will also assist in meeting the needs for the implementation of the federal healthcare reform act.

Therefore, it is the Department's hope that much of the needed information can be obtained from licensees through the healing arts Boards. OSHPD has begun to work with the Boards and the Department to determine what information is needed and the most appropriate manner to obtain that information. One suggestion would be to send out a survey with a licensee's renewal. A copy of a survey used by the Medical Board is under Agenda Item 6.3. Although this survey would need adjusted to the nursing profession, it could be used to gather this information. The Department is meeting with OSHPD to determine the next steps and will be in contact with the Boards to develop a method to obtain this information. Cindy Kanemoto, our Chief of the Licensing for Job Creation Unit, will be leading this project and working with OSHPD and the Boards.

## **6.0 Report of the Administrative Committee**

Jeannine Graves, RN, Chairperson

### **6.1 Accreditation of Prelicensure Nursing Programs**

M. Minato presented this report

During the regulatory process for the recently approved education regulations, the concept of requiring accreditation of all prelicensure nursing programs was raised. Several commentators submitted public comments on the proposed regulations recommending that the programs be accredited. Specifically, two organizations (American Nurses Association-California and California Nurses Association) and two individuals (Baker and O'Rourke) recommended that the Board require institutions of higher education be accredited by a regional or national accrediting organization such as Western Association of Schools and Colleges. The rationale for the proposed requirement included: 1) accreditation is in the public interest; 2) is a requirement for other types of healthcare professionals' education; 3) assures quality of the institution; 4) provides consistent standards; 5) increases potential for transferability of units; 6) ensures that the institution provides an environment that supports broad education and intellectual stimulation; and 7) facilitates students' access to federal financial aid. The Board voted to accept the comments and to promulgate a separate regulatory proposal requiring that institutions of higher education be accredited.

The following people provided a comment:

Kelly Green, RN

Genevieve Clavreaul, RN

MSC: Harrison/Corless to refer to the Education/Licensing Committee the issue of whether Board approval of Prelicensure Nursing Programs should be required to be accredited by a national or regional accrediting body. 5/0/0

### **6.2 Review of Board's Continuing Education Program**

C. Sprigg presented this report

**Continuing Education Program:**

The Board of Registered Nursing's Continuing Education Program was established on July 1, 1978, and requirements are found in Business and Professions Code sections 2811.5 – 2811.6 and the regulations governing this program are found in the California Code of Regulations sections 1450 to 1459.1. These statutes and regulations provide the bases for the Board to approve continuing education providers (CEP) and require a registered nurse, who wants to maintain an active license, to complete 30 hours of continuing education (CE) for license renewal. The CE courses must be taken through a Board approved CEP. It should be noted that the first two years immediately following initial licensure in California or other jurisdictions, licensees are exempt from the CE requirement.

**Continuing Education Providers:**

Any individual or group who has the resources to provide continuing education for registered nurses and agrees to adhere to the laws and regulations covering the program may apply for provider approval. A provider number can be issued to an individual, partnership, corporation, association, organization, organized health care system, educational institution, or governmental agency.

Upon approval of a CEP application a CEP number is issued. That CEP number expires two years from the date of initial issuance and is able to be renewed. A CEP provider number that has expired and has not been renewed for two years or more must submit a new application for review and approval and a new provider number is issued.

Each CEP is expected to offer courses relevant to the practice of registered nursing and must be related to the scientific knowledge and/or technical skills required for the practice of nursing or related to direct and/or indirect patient care. Learning experiences are expected to enhance the knowledge of the RN at a level above that required for licensure. The BRN approves continuing education providers, not individual courses.

**CEP Application Process Overview:**

All CE provider applicants must provide the following:

- Application form and fee of \$200
- Course Information and Instructor Information forms
- Federal Employer Identification Number, if applicant is a business or corporation, or their Social Security Number, if the applicant is an individual
- Sample of the advertising flyer/brochure
- Sample of the certificate of completion

All applications are reviewed for compliance in all required areas and the time frame for review and issuance of a CEP number is 4 to 6 weeks.

**Continuing Education Licensee Audit Process Overview:**

At the time of license renewal RNs are required to certify by signing a statement under penalty of perjury on their renewal application that they have completed the required 30 hours of Board approved CE. The BRN performs audits of the RN renewal application by requesting randomly selected RNs to provide certificates or gradeslips of their continuing education for the preceding renewal period. As discussed in the 2010 Sunset Report, the



number of audits of RNs for compliance with statutory and regulatory requirements has significantly declined since 2002 due to lack of staff in this unit. Currently, the CE unit has one Office Technician who reviews new CEP applications and responds to all Webmaster e-mails regarding Renewal questions.

MSC: Corless/Harrison to refer, to the Education Committee, a review of the Board's Continuing Education Program and any necessary recommendations to the program in order to maintain competent RNs and thereby enhancing public protection, including but not limited to, audits of C.E. providers, licensees and regulations. 5/0/0

### **6.3 License Renewal Survey**

K. Kirchmeyer presented this report

MSC: Todero/Corless to refer this survey to the staff to research the feasibility of a license renewal survey and make a report of their findings and recommendations to the Board at the next Board Meeting. 5/0/0

### **6.4 Sunset Report Update**

J. Campbell-Warnock presented this report

The Board's Sunset Report was submitted to the Senate Committee on Business, Professions and Economic Development and the Assembly Committee on Business, Profession and Consumer Protection (the Committees). Originally hearings were scheduled for November, however, since there will be membership changes with the Committees and a newly elected Governor, the hearings have been moved to the beginning of the new legislative session some time in mid-February, 2011. This change will still give ample time for any legislative changes and sunset extensions in the 2011 legislative year. Meanwhile, Committee staff will be reviewing the Sunset Report, and will follow up with any questions as necessary.

Board staff is currently drafting an Addendum to the Sunset Report which is addressing in specific detail the staffing in various units at the Board in light of the many changes that have transpired over the past 18 to 24 months. The focus of the Addendum Report will be the assessment of workload and staffing in order to meet the Boards mission of public protection. A draft of this report will be available to Board Members for review and comments before a final is completed and submitted to the Committee.

### **6.5 Update and Status of *California Society of Anesthesiologist and California Medical Association v. Arnold Schwarzenegger***

J. Bunshoft, Deputy Attorney General, presented this report

On October 8, 2010, the California Superior Court in San Francisco granted summary judgment in favor of both Governor Arnold Schwarzenegger and the California Association of Nurse Anesthetists (CANANA), affirming California's opt-out of the federal physician supervision requirement for nurse anesthetists.

## **6.6 Results of New Grad Survey**

D. Jones, RN, MS, President and Executive Director of the California Institute for Nursing and Health presented this report

The Board of Registered Nursing, California Institute for Nursing and Health Care, University California Los Angeles and the Community College Chancellor's Office collaborated together to develop and conduct an online survey of recent RN graduates. Questions were related to the new graduates experience with seeking RN employment. The purpose of the survey was to obtain information on the pervasiveness of the problem new graduates are having finding employment in the current economy. The results of the survey were presented to the Board.

The following people provided a comment:

Diane McQue

Genevieve Clavreaul, RN

## **6.7 Update for Implementation of AB 2699**

R. Woonacott, Deputy Director of the Division of Legislative & Policy Review, Department of Consumer Affairs presented this report

The Department's plan to implement Senate Bill 2699 that was chaptered on September 23, 2010 was presented to the Board. This legislation created a state license exemption for out-of-state licensed health care practitioners who provide free services on a short term, voluntary basis, in association with a sponsoring entity to California health care consumers.

The following people provided a comment:

Tricia Hunter, ANA-C

Kelly Green, CNA

## **6.8 Propose Legislation to Assess Fees for Approval of New Pre-licensure Nursing Programs**

M. Minato presented this report

Over the last decade, there has been a dramatic increase in the number of proposed new pre-licensure nursing programs, from one in 1998 to twenty-one in 2008. A number of these program applicants lacked professional nursing education and practice expertise, and the registered nursing program was the first academic degree program that the school would be offering. Programs that lack such expertise and degree experience require more extensive assistance from Board staff, and in spite of such assistance, may not be able to submit a feasibility study or self-study that conforms to Board requirements. The recently revised document, "Instructions for Institutions Seeking Approval of New Pre-licensure Registered Nursing Program" was incorporated by reference in the education regulations effective October 21, 2010. The document, which provides more specific and detailed information about the approval requirements and process, should facilitate the process; however, it may not resolve the problems for programs that lack nursing expertise and

academic degree granting experience. These programs may continue to require extensive assistance from Board staff.

Currently, the Board does not charge a fee for the costs associated with review and approval of proposed pre-licensure nursing programs; the costs are absorbed within the Board's existing budget. In view of the increased number of proposed new programs and the expenditure of Board resources required in the review and approval process, assessing a fee to help offset the costs may be appropriate. In order to charge a fee, a statutory change is necessary.

MSC: Todero/Ware to authorize the Executive Officer to seek an author to authorize the Board of Registered Nursing, to access fees for new Pre-licensure Programs. 5/0/0

#### **6.9 Board and Committee Meeting Dates for 2011**

L. Bailey presented this report

The following dates were confirmed for calendar year 2011:

##### **Committee Meetings:**

January 5-6, 2011\*

March 10, 2011

May 18, 2011

August 10, 2011

October 12, 2011

##### **Board Meetings:**

February 2-3, 2011

April 13-14, 2011

June 22-23, 2011

September 14-15, 2011

November 16-17, 2011

\* January 6, 2011 is a Board Meeting – Discipline Only

#### **7.0 Report of the Legislative Committee**

Dian Harrison, MSW, Chairperson

#### **7.1 Positions on Bills of Interest to the Board and any other Bills of Interest to the Board.**

L. Bailey presented this report

AB 867      Nava: California State University: Doctor of Nursing degree pilot program  
*Support – Chaptered 416*

AB 1937      Fletcher: Pupil Health: immunizations  
*Support – Chaptered 203*

AB 2302      Fong: Postsecondary Education: student transfer

*Watch – Chaptered 427*

AB 2344      Nielson: Nursing: approved schools  
*Support – Chaptered 208*

AB 2385      Perez: Pilot Program for Accelerated Nursing and Allied Health Care  
Profession Education at the California Community Colleges  
*Watch – Chaptered 679*

AB 2500      Hagman: Professions and Vocations: licenses: military services  
*Support – Chaptered 389*

AB 2699      Bass: Healing Arts: licensure exemption  
*Oppose unless amended – Chaptered 270*

AB 2783      Committee on Veterans Affairs: Professions and Vocations: military  
personnel  
*Watch – Chaptered 214*

SB 294      Negrete McLeod: Department of Consumer Affairs: regulatory boards  
*Oppose – Chaptered 695*

SB 1119      Wright: Health Care Staffing  
*Oppose unless amended – Vetoed*

SB 1172      Negrete McLeod: Regulatory Boards: diversion programs  
*Watch – Chaptered 517*

SB 1440      Padilla: California Community Colleges: student transfers  
*Support – Chaptered 1440*

**8.0 Report of the Diversion/ Discipline Committee**  
Richard Rice, Chairperson

**8.1 Attorney General's Office Goals**

Alfredo Tarraza, Senior Assistant Attorney General presented a report during the board meeting morning session and the board wants to consider the information provided in the report.

The Board of Registered Nursing (BRN) senior level enforcement management worked closely with the Attorney General's Office (AGO) to modify the BRN's Case Movement Guidelines in July 2009.

The document was presented to the Board at a meeting in August 2009. Senior BRN staff along with senior level DCA legal counsel conducted a conference call on October 27, 2010, to discuss the BRN Case Movement guidelines with senior AGO staff. Discussions

were held regarding possible modifications and it was agreed the AGO would prepare draft recommendations for the Board's consideration.

## **8.2 Nursys Discipline Data Comparison (Scrub) Update**

S. Berumen presented this report

The Probation Program continues to work on the Nursys discipline data comparison project and will continue to do so until all records have been reconciled against California's records.

Currently, 1,805 records have been reviewed on the active license list. Determination was made whether the cases warranted a request for the other state's discipline documents. This review resulted in 1,024 requests for out-of-state documents. The documents will be evaluated and a decision made as to the appropriate action needed.

Review of the inactive license spreadsheet is in progress and will continue until complete. Holds have been placed on 1,915 inactive records to alert staff when a nurse on the list attempts to activate their license. This alert will allow staff to immediately request and review the records to determine if out-of-state discipline documents are needed for possible action on the license.

The status of the documents reviewed:

Referred to the Attorney General	204
Pleadings Received	149
Notices of Defense Received	73
Referred to Cite and Fine	21
Closed Without Action (Action taken by CA (prior to 2000) but not reported to Nursys or information approved at time of licensure)	229
Settlement or Decision Pending	64

### **UPDATE:**

The National Council of State Boards of Nursing (NCSBN) announced at its Annual Meeting on or about August 12, 2010, a new process in development for non-licensure participating boards to participate in sharing discipline information. The project is estimated to be completed by the end of Fall 2010. Additional information is forthcoming and will be provided once received.

## **8.3 Internet Disclosure Policy**

S. Berumen presented this report

The Board of Registered Nursing (BRN) began posting discipline information on its web site in 2006. This was done in accordance with the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1 of the Government Code).

The BRN provides this information to better inform and protect California's health care consumers.

Business and Professions Code Section 27 requires a number of boards and bureaus under the direction of the Department of Consumer Affairs, to post information regarding licensees on their web sites. The BRN is not included in this code section.

BRN provides information on the internet to indicate any disciplinary actions and their status through a series of codes from our legacy computer system. The discipline documents are added to support and explain actions taken.

As of November 3, 2010, there are approximately 5,065 discipline documents listed on our website. These documents include denial letters, statements of issue, accusations, petitions to revoke probation, interim suspension orders, PC 23 criminal court practice suspension orders, and final decisions.

Current and past Board members have expressed concern and believe it is vitally important the public is aware of nurses who may pose a danger to the public.

In the last year, BRN staff has received requests to remove discipline documents from our website for a variety of reasons such as: it has been many years since the action was taken, the conviction included in the disciplinary action has been dismissed, expunged, or sealed, it hampers a licensee's ability to find employment, or the licensee is harassed by co-workers.

The BRN has been unable to provide all discipline documents on the website due to limited staff resources and ability to access records quickly. Discipline documents continue to be requested on a routine basis by members of the public if they are not available on the website. When staff requests a file to obtain the discipline documents they are added to the website at the same time they are sent out to the requestor.

DCA and BRN past practice is to retain the documents on the website indefinitely but at least until the BRN no longer has jurisdiction over a licensee.

MSC: Graves/Corless that the Internet Disclosure Policy be deferred to the Diversion/Discipline Committee for determination of disclosure parameters. 5/0/0

#### **8.4 Enforcement Program Update and Statistics**

S. Berumen presented this report

##### **Staff**

In addition to a hiring freeze, with an unspecified ending date, and the requirement earlier this year to identify 5% salary savings before the budget is signed, the Administration has denied our CPEI hiring exemption request (unless they are lateral transfers from existing DCA staff – thus eliminating the possibility of promoting BRN staff). The BRN was recently asked to reduce staff expenditures (by personnel years – employees) an additional 5%, which equals \$417,000. Six positions throughout the BRN have been held open since at least July 1, 2010,

to achieve the original 5% savings requirement. If these positions are eliminated, it does not cover even half of the salary savings. To avoid a layoff situation, some of the CPEI positions have been targeted to cover this requirement.

Persistent inhibitions of our ability to hire the resources we require to create and run an investigation unit and the growing backlog of investigations in our office (now almost 700), it is apparent the Board's vision of an investigation unit must change to meet the current political and economic climate. Therefore, Enforcement will begin to send back our cases to DOI and reduce the CPEI positions. We plan to reclassify three special investigator positions as Nursing Education Consultants and create a new Case Management unit comprised solely of eight NEC's and one Supervising NEC. The NEC's will review case documents, create investigation case plans for DOI, review completed investigations, and justify case closure, transmittal to the AG, citation/fine, or any other case dispositions.

We have advertised for the five limited term CPEI positions and hope we can hire with internal DCA transfer candidates.

We are very concerned that our four existing limited term staff will either be forced to leave state service or return to their previous positions since two terms expire 12/31/10 and two expire 2/28/11. We will do what we can given the numerous hiring limitations to keep these staff for as long as possible; however, with no guarantees, those individuals may seek employment elsewhere.

Licensing's temporary help has not been enough to cover the loss of our half-time limited term OT and this desk is quite backed up. In addition, our unit has been hit hard with jury duty summons, illnesses, and the loss of family members over the past few months. Combined with furloughs, we have lost a considerable amount of work hours and, as such, have accumulated a back log in processing and investigating desk complaints, and transmitting cases to the AG's office. Agency has asked DCA to submit how many hours it would take for our staff to work overtime to clear backlogs, however, enforcement staff is tired and becoming burned out at trying to keep up the pace of work necessary to improve the case turnaround times with no additional staff. As such, few are open to working overtime.

### **Program**

On October 27, 2010, Louise Bailey, Paul Riches, Stacie Berumen, Kathy Hodge, Beth Scott, Don Chang, and Doreathea Johnson conducted a conference call with Alfredo Terrazas, Senior Assistant Attorney General, our liaison DAGs, Leslie Brast and Linda Sun, Los Angeles SDAG's, Gloria Barrios and Marc Greenbaum from the AG's office to discuss some key issues between our agencies:

- Since July 27, 2010, preparation of default decisions moved from BRN back to the AG's office due to a Superior Court Judge ruling. In addition to delays, this has also caused an increase in processing time by BRN staff. After a cooperative discussion with the AG's office, it was agreed that we will begin a pilot program with DCA legal staff to oversee the preparation and review of default decisions and evidence packets prepared by BRN

staff for all accusations filed on or after December 1, 2010 in the Oakland and San Francisco AG offices. At least the first fifteen will be sent to our DAG liaison, Leslie Brast, for review and approval prior to forwarding to the Board for vote. The pilot will be revisited at the end of the first quarter of 2011 to determine whether or not the program can include all other AG offices. DCA legal contacts are Don Chang, BRN staff counsel, and Doreathe Johnson, Deputy Director of Legal Affairs.

- The AG's office modified BRN case movement guidelines in July 2009 to include specific time frames for case completion. As a result, BRN staff have been instructed to follow up with the AG's office to ensure case milestones are met. The AG's office has been inundated with cases beyond what was expected when the original guidelines were proposed. Therefore, case assignments have been delayed which, in turn, delayed the preparation of the initial pleadings and has resulted in follow up calls/e-mails from BRN case analysts. The AG's office remains committed to the guidelines as they want cases completed as quickly as possible. We continue to work with the AG's office to determine how we can ensure adherence to the guidelines without constant follow up and pressure on both BRN and AG staff. Options have been presented by Mr. Terrazas to the Board for consideration.
- We continue to experience delays when attempting to settle a case. Many of the delays are caused by unresponsive Respondents or their legal counsel. These delays are unacceptable as it ages our cases unnecessarily, but also allows unsafe practice to continue longer than necessary than if we were to place them on monitored probation or accept a surrender of license. After discussing our concerns, SDAG Marc Greenbaum from Los Angeles offered a creative proposal that may provide respondent's incentive to reach faster resolution to cases we are willing to settle. Once the proposal has been prepared and vetted it will be presented to the Board for review and discussion.
- Since January 1, 2010, there were 1,036 applicant cases with no rap sheet for convictions they disclosed to the BRN. At the request of Louise Bailey, Mr. Terrazas made contact with the Fingerprint Bureau Chief at DOJ. Upon initial consideration of this situation we were told, it is not uncommon for self-reported convictions to not match the DOJ report. Pursuant to PC 11105 K-P, since 1985, any arrest on a criminal history reported on Livescan that has no reported outcome must be redacted.
- DCA Legal has approved a letter that will be sent to approximately 7,200 nurses by the end of 2010 who answered 'Yes' to completing the fingerprint requirement and we do not have proof of submission or any results from the DOJ or FBI. The letter requires the licensee to submit proof of fingerprint submission to the DOJ and explains the repercussions for failing to comply as it will result in a referral to the AG's office for possible disciplinary action.
- On July 1, Enforcement staff began to track time spent on 10% of complaints in the investigative phase for performance measurement. The captured time is not completely accurate as the time is reported in tenths (0.1 minute). Anything not falling within that



range, i.e. .10, .20, etc., reverts back to zero. Our concerns have been communicated to the unit collecting the data.

### **BRN Investigations**

BRN investigators have completed 92 investigation reports; however, our investigations continue to add up and are now at 678. We only have two retired annuitant investigators currently working our cases in Northern California. We have sent back 12 cases to DOI which were reviewed by the NECs for focused investigations. An additional 19 have or will be sent to DOI for focused investigations. DOI is prepared to begin taking cases as soon as we can review them and focus on areas of investigation.

### **Statistics**

There are 462 pending DOI investigations and 678 pending BRN investigations.

From July 1, 2010 to November 1, 2010, enforcement served 233 accusations. Enforcement prepared nine (9) default decisions from July 1, 2010 to July 26, 2010, prior to the process returning to the AG's office on July 27, 2010.

Please review the old monthly enforcement report (attachment) which has additional breakdowns of information. The new report required to be submitted to the Deputy Director of Enforcement and Compliance is also attached for your review and comment. We can compile a hybrid report if the committee is interested.

## **8.5 Probation Program Update and Statistics**

S. Berumen presented this report

### **Staff**

The Probation Program currently has one vacancy for a probation monitor and has initiated recruitment efforts with the limitation of only being allowed to hire DCA lateral transfer candidates.

### **Program**

The Probation Program staff continues to participate in designing a multi day course directed towards probation monitors. This course will be comprehensive training to provide actual tools and knowledge for probation monitors state wide. The training is scheduled to begin in February 2011. Additionally, the probation staff will provide training at the second Enforcement Academy in December.

The Probation Program continues to work on the Nursys discipline data comparison project and will continue to do so until all records have been reconciled against California's records. Updates will be provided at each DDC meeting.

The Probation Program will begin reviewing the Recommended Guidelines for Disciplinary Orders and Conditions of Probation. They were last revised in 2002 and are long overdue for cleanup and to incorporate recent legislative and regulatory changes.

The Probation Program began a pilot project with Phamatech Laboratories to determine if the Department wide contract for random drug screening would benefit the program. A limited number of probationers will test with this vendor and the staff will monitor all aspects of the program to ensure they meet BRN monitoring requirements.

In December, the Probation Program staff will conduct a probation monitoring workshop for the staff of the Attorney General's office in Oakland and San Francisco. This workshop is designed to share issues regarding monitoring probationers, settlements cases for probation and prosecuting petitions to revoke probation.

The Probation Program lost 384 hours of staff time from September 1, 2010 to October 31, 2010 due to state mandated furloughs.

### **Statistics**

Below are the statistics for the Probation program from September 1, 2010 to October 28, 2010.

Probation Data	Numbers	% of Total
Male	115	24%
Female	348	75%
Chemical Dependency	262	56%
Practice Case	153	33%
Mental Health	4	<1%
Conviction	44	<1%
Advanced Certificates	43	<1%
Southern California	246	53%
Northern California	217	46%
Pending at the AG	74	15%
License Revoked	1	<1%
License Surrendered	15	<1%
Terminated	3	<1%
Completed	8	<1%
Total in-state probationers	463	

## **8.6 Diversion Program Update and Statistics**

C. Stanford presented this report

On October 26, 2010, the Board was notified by the Department of Consumer Affairs (DCA) of a recent legal decision regarding the Board's Diversion Evaluation Committees (DECs). Per legal counsel, the meetings of the DECs must comply with the Bagley-Keene Open Meeting Act (Act). The rules from this Act that affect the DEC meetings the most, include the requirement for the meeting to be noticed ten (10) days prior to the date of the meeting, including posting on the Board's Web site and the necessity to have an agenda. It is anticipated that the majority of the DEC meeting will be conducted in closed session; however, the Board will need to begin the meeting in open session and allow for public

comment before convening in closed session and ensure that the meeting complies with the Act in all other aspects.

Since this will be a new process for the DEC members, DCA will hold two training sessions on the Act and its requirements and all DEC members were notified of this need to attend the training. The training sessions are November 15, 2010, in Los Angeles and November 16, 2010, in Sacramento. The Board has contacted the DEC members and a number of our DEC members were able to attend; however, those who were unable to attend, due to prior obligations, DCA will determine the need for another training date in the near future.

On December 1, 2010, the Diversion Program will conduct a Nurse Support Group Facilitator's Conference. This conference is intended to improve communication between the facilitators, Board staff and the contractor. Information will be provided to clarify the facilitators' roles and responsibilities as outlined in the Contract, SB1441, and recommended guidelines for probationers.

On December 2, 2010, the Diversion Program will conduct a DEC Orientation Meeting. This provides required training for new DEC members to familiarize them with their role and responsibilities related to their appointment and other State requirements. The meetings will be held in Sacramento and an update will be provided at the next meeting.

#### **Contractor Update**

Maximus has been meeting with the Department and the Boards to develop processes and forms to comply with the new contract and new laws governing the program. They are establishing auditing protocols to assist them in enhancing their efficiency and maintaining contract compliance.

The Department of Consumer Affairs has received a request for additional information from one of the senators at the request and suggestion of Center for Public Interest Law (CPIL) regarding the Department's Audit of the contractor, Maximus. The Department is in the process of responding to the request. The Board will be provided with a copy of the Department's response.

Virginia Matthews, Maximus Program Director, presented a brief report and overview regarding trends and developments.

#### **Diversion Evaluation Committees (DEC)**

There are currently 14 vacancies as follows: six Registered Nurses, six Physicians, and two Public members. Recruitment efforts continue. There are 5 applications presented for the Board's approval today.

#### **Statistics**

Attached is the Monthly Statistical Summary Report for August and September, 2010. As of September 30, 2010, there were 1,505 successful completions.

### 8.6.1 Committee Member Term Resignations

C. Stanford presented this report

In accordance with B & P Code Section 2770.2, the Board of Registered Nursing is responsible for appointing persons to serve on the Diversion Evaluation Committees. Each Committee for the Diversion Program is composed of three registered nurses, a physician and a public member with expertise in chemical dependency and/or mental health.

#### RESIGNATIONS

The following Diversion Evaluation Committee members have resigned for personal reasons. Their efforts will be recognized and letters of appreciation mailed out.

<u>NAME</u>	<u>TITLE</u>	<u>DEC</u>	<u>NO</u>
Marilyn Dray	Nurse	North Coast	2

### 8.6.2 Diversion Evaluation Committee Members

C. Stanford presented this report

In accordance with B & P Code Section 2770.2, the Board of Registered Nursing is required to appoint persons to serve on Diversion Evaluation Committees. Each committee is composed of three registered nurses, a physician, and a public member with expertise in chemical dependency and/or mental health.

#### TRANSFER

The following Diversion Evaluation Committee members are requesting transfers.

<u>NAME</u>	<u>TITLE</u>	<u>From</u> <u>DEC</u>	<u>To</u> <u>DEC</u>
Jennifer Dibley	Nurse	4 Orange County	10 San Diego
Cindy Simpson	Public Member	6 Palm Springs	14 Santa Ana

#### APPOINTMENTS

Below are candidates who were interviewed and are recommended for appointment to a Diversion Evaluation Committee (DEC). Their applications and résumés are attached. If appointed, terms will expire June 30, 2014.

<u>NAME</u>	<u>TITLE</u>	<u>DEC</u>	<u>NO.</u>
David Aust	Nurse	Sacramento	1
Nancy Glover	Nurse	Bay Area	2
Tomma May	Public	Los Angeles	3
Mary Richards	Nurse	San Jose	7
Jo Chavez	Nurse	Oakland	13

MSC: Graves/Todero that the Board approve Diversion Evaluation Committee Member transfers.  
5/0/0

MSC: Todero/Graves that the Board approve Diversion Evaluation Committee Member Appointments. 5/0/0

## **9.0 Report of the Education/Licensing Committee**

Catherine Todero, PhD, RN, Chairperson

### **9.1 Ratify Minor Curriculum Revision**

M. Minato presented this report

- Azusa Pacific University, Nurse Practitioner Program
- Azusa Pacific University, Entry Level Master's Degree Nursing Program and Baccalaureate Degree Nursing program
- California State University, Dominguez Hills, Entry Level Master's Degree Nursing Program
- California State University, Sacramento, Baccalaureate Degree Nursing Program
- California State University, Stanislaus, Baccalaureate Degree Nursing Program
- West Coast University, Inland Empire, Baccalaureate Degree Nursing Program
- West Coast University, Los Angeles, Baccalaureate Degree Nursing Program
- West Coast University, Orange County, Baccalaureate Degree Nursing Program
- Chabot College, Associate Degree Nursing Program
- Kaplan College, Associate Degree Nursing Program
- Moorpark College, Associate Degree Nursing Program
- Pierce College, Associate Degree Nursing Program
- Sacramento City College, Associate Degree Nursing Program

Progress Report:

- California State University, Dominguez Hills, Entry Level Master's Degree Nursing Program
- Charles Drew University, Entry Level Master's Degree Nursing Program
- West Coast University, Inland Empire, Baccalaureate Degree Nursing Program
- Grossmont College, Associate Degree Nursing Program
- Palomar College, Associate Degree Nursing Program
- San Diego City College, Associate Degree Nursing Program
- Unitek College, LVN to RN Associate Degree Nursing Program

MSC: Coreless/Ware that the Board ratify Minor Curriculum Revisions and Prograss Reports.

5/0/0

### **9.2 Major Curriculum Revision**

M. Minato presented this report

- College of the Canyons, Associate Degree Nursing Program

MSC: Graves/Corless that the Board ratify Major Curriculum Revisions. 5/0/0

### **9.3 Continue Approval of Pre-licensure Nursing Program**

M. Minato presented this report

- National University, Baccalaureate Degree Nursing Program

MSC: Corless/Harrison that the Board defer approval of the National University, Baccalaureate Degree Nursing Program and obtain a report regarding the Los Angeles campus for the March 2011 Board Meeting. 5/0/0

- College of San Mateo, Associate Degree Nursing Program

MSC: Ware/Graves that the Board grant continuing approval of College of San Mateo Associate Degree Nursing Program. 5/0/0

- Long Beach City College, Associate Degree Nursing Program

MSC: Harrison/Corless that the Board grant continuing approval of Long Beach City College Associate Degree Nursing Program. 5/0/0

- Mt. San Jacinto College, Associate Degree Nursing Program

MSC: Corless/Ware that the Board grant continuing approval of Mt. San Jacinto College Associate Degree Nursing Program. 5/0/0

#### **9.4 Licensing Program Overview and Statistics**

B. Pierce presented this report

On October 6, 2010, Bobbi Pierce, Lead Licensing Analyst provided an overview to new nursing directors attending the California Organization of Associate Degree Nursing Program Directors meeting. The topics presented included: the Individual Candidate Roster and how to complete the required information; the need for the program to provide a worksheet that reflects completed pre-requisite course work that was completed at other colleges/universities and was used to satisfy the programs requirements; and the Board no longer accepts applications without a U.S. Social Security Number (SSN). This presentation was also given to existing directors later in the day and in both sessions there were a number of questions and answers that were provided to the participants.

##### **Statistics:**

The Department of Consumer Affairs, in conjunction with the Board, continues to provide statistical reports to the Governor's Office and the State and Consumer Services Agency on a monthly basis for the Licensing and Job Creation Report. This project has been on-going since January 2010 and the Board has been an active participant in meeting the goals of the program to contribute towards California's job growth through expeditious and efficient processing of professional pending examination and licensing applications.

The statistics for the last two fiscal years and the first four months of Fiscal Year 2010/11 are attached. You will note that there is a decrease in the number of applications for examination, repeaters, and endorsement during the last two fiscal years. It is believed that this is due to the

economic slowdown and the Board's no longer accepting applications that do not include a SSN.

## 9.5 NCLEX-RN Pass Rates Update

K. Daugherty presented this report

The Board of Registered Nursing receives quarterly reports from the National Council of State Boards of Nursing (NCSBN) about the NCLEX-RN test results by quarter and with an annual perspective. The following tables show this information for 12 months and by each quarter.

### NCLEX RESULTS – FIRST TIME CANDIDATES

October 1, 2009 – September 30, 2010\*/\*\*

JURISDICTION	TOTAL TAKING TEST	PERCENT PASSED %
California	11,367	87.90
United States and Territories	140,604	87.56

### CALIFORNIA NCLEX RESULTS – FIRST TIME CANDIDATES

By Quarters and October 1, 2009-September 30, 2010\*/\*\*

10/01/09- 12/31/09		1/01/10- 3/31/10		4/01/10- 6/30/10**		7/1/10- 9/30/10		10/01/09- 9/30/10	
# cand.	% pass	# cand.	% pass	# cand.	% pass	# cand.	% pass	# cand.	% pass
988	84.72	3,840	89.79	2,114	89.92	4,425	86.01	11,367	87.90

\*Includes (8), (9), (6) & (6) "re-entry" candidates.

\*\* 2010 NCLEX-RN Test Plan and a higher passing standard (-0.16 logits) were implemented April 1, 2010.

The Nursing Education Consultants monitor the NCLEX results of their assigned programs. Current procedure provides that after each academic year (July 1 – June 30), if there is substandard performance (below 70% pass rate for first time candidates), the NEC requests the program director submit a report outlining the program's action plan to address this substandard performance. Should the substandard performance continue in the second academic year, an interim visit is scheduled and a written report is submitted to the Education/Licensing Committee. If there is no improvement in the next quarter, a full approval visit is scheduled within six months. A report is made to the Education /Licensing Committee following the full approval visit.

## 10.0 Report of the Nursing Practice Committee

Kathrine M. Ware, RN, MSN, ANP-C, Chairperson

## 10.1 A Report on the Institute of Medicine and Robert Wood Johnson Foundation Initiative on the Future of Nursing by Liana Orsolini-Hain, Ph.D., RN, CCRN, Committee Member

J. Wackerly presented this report

Dr. Liana M. Hain, Ph.D., is a committee member on the Robert Wood Johnson Foundation Initiative on the Future of Nursing. Dr. Hain is a full-time tenure track instructor at City College of San Francisco. She has more than 16 years of experience in associate's degree nursing education.

The following is an excerpt from the free summary, titled "The Future of Nursing: Leading Change, Advancing Health". The Committee's charge is to examine and produce recommendations related to the following issues, with the goal of identifying vital roles for nurses in designing and implementing a more effective and efficient health care system:

- Reconceptualizing the role of nurses within the context of the entire workforce, the shortage, societal issues, and current and future technology; and
- Expanding nursing faculty, increasing the capacity of nursing schools, and redesigning nursing education to assure that it can produce an adequate number of well prepared nurses able to meet current and future health care demands; and
- Examining innovative solutions related to health care delivery and health professional education focusing on nursing and delivery of nursing services; and
- Attracting and retaining well prepared nurses in multiple care settings, including acute, ambulatory, primary care, long term care, community and public health.

The link to the summary can be found at:

[http://www.nap.edu/nap-cgi/report.cgi?record\\_id=12956&type=pdfxsum](http://www.nap.edu/nap-cgi/report.cgi?record_id=12956&type=pdfxsum)

## **10.2 Registered Nurse Advisories**

J. Wackerly presented this report

Registered nurse advisories are available at [www.rn.ca.gov](http://www.rn.ca.gov). When using the BRN home page, use the cursor on left hand side of page, titled "Practice Information."

The liaison to the Practice Committee with assistance from board staff has been updating BRN advisories utilizing the California Nursing Practice Act with Regulations and Related Statutes, 2010 Edition and California Law found at [www.leginfo.ca.gov](http://www.leginfo.ca.gov) as resources.

With Board approval, the following advisories will be posted to the BRN website:

- Abuse Reporting Requirements
- Background Checks for Student Clinical Placement
- California Nursing Practice Act
- Complaint Disclosure Policy
- Continuing Education for License Renewal
- Good Samaritan
- Interim Permittee
- Information About Medical Assistant
- License Information



- Nurse Practitioners & Nurse-Midwives - Supervision of Medical Assistants
- Residential Care for the Elderly Employee, RCFE, Training for Self-Administration of Medication
- Unlicensed Assistive Personnel
- Use of Title: Registered Nurse and Name Tags

The Nurse Practitioner advisory, titled "Nurse Practitioner & Nurse Midwives Supervision of Medical Assistant" now reflects the authority in Health and Safety Code, section 1204.

The advisory, titled "Background Checks for Student Clinical Placement" was updated by Shelly Ward, NEC, who is responsible for the Director's Handbook and is used by BRN approved nursing education programs.

Enforcement Unit managers reviewed the Complaint Disclosure Policy and determined no revisions were needed. Staff will continue updating BRN advisories to bring the information current. The advisories will be brought before the Practice Committee and then to the Board for final approval.

The following people provided a comment  
Genevieve Clavreaul, RN

MSC: Graves/Todero that the Board accept the registered nurse advisories as outlined for placement on BRN website. 5/0/0

#### **11.0 Public Comment for Items Not on the Agenda**

#### **12.0 Closed Session**

##### **Disciplinary Matters**

The Board convened in **closed session** pursuant to Government Code Section 11126(c) (3) to deliberate on disciplinary matters including stipulations and proposed decisions

Meeting adjourned at 1:56 pm. J. Graves, Board President, called the closed session meeting to order at 2:45 pm. The closed session adjourned at 4:10 pm

**Thursday, November 18, 2010 – 9:00 am**

J. Graves, Board President, called the meeting to order at 9:10 am and had the Board Members introduce themselves.

**13.0 Public Comment for Items Not on the Agenda**

No public comment made.

**14.0 Disciplinary Matters**

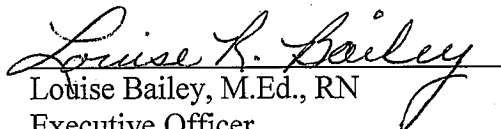
**Reinstatements**

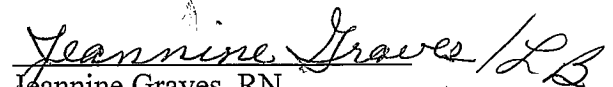
Billy Goulette - Denied  
Elissa J. La Barrie - Granted  
Susan Neuhoff - Granted  
Manuel Nunez - Granted  
Ronald Taylor - Denied  
Duke Trejos - Denied  
Germaine Velasquez - Granted

**Termination of Probation**

Judy Wagayan - Granted

Meeting adjourned at 1:45 pm. J. Graves, Board President, called the closed session meeting to order at 1:55 pm. The closed session adjourned at 3:45 pm

  
Louise Bailey, M.Ed., RN  
Executive Officer

  
Jeannine Graves, RN  
Board President